

Remarks

Reconsideration of the application is respectfully requested. Although the preliminary amendment was filed at the time of the filing date of the present application, the changes of the specification made in this preliminary amendment were added to the current application by USPTO according to the patent application shown in the published US Patent Application No. 2005/0011969. Applicant has therefore made the changes again in this amendment. Also, two additional paragraphs have been amended to remove references to claim 1. No new matter has been added to the patent application.

Claim 13 was objected to. The entire reference numeral has now been removed. Claim 13 should be in full conformance.

Claims 1-3, 5-7 and 13 were rejected under Section 103 as being obvious over Yasui in view of Watanabe. This rejection is respectfully traversed.

To summarize the present invention, it is an effective arrangement for guiding a cartridge, connected to a spray nozzle, along a stationary guide tube that extends along an object to be sprayed. The cartridge is driven along the guide tube by the supply hose. In this way, the object may be effectively sprayed by the spray nozzle moving in the guide tube.

Yasui merely discloses a guide mechanism for guiding

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a thin and a thick electric cable while laying the cable (see abstract). In the background section of Yasui's patent, Yasui describes the trouble of replacement of the laying apparatus on site and the escape of electrical cables from the cable transport apparatus. The main object of his invention is thus to solve these problems (see col. 3, lines 15-24). His solution is to guide both a large and a small diameter in the same apparatus. Another important feature is that the small diameter cable is prevented from escaping from the gap between the transport members during transportation (see col. 4, lines 19-24 and col. 5, lines 1-7). Fig. 3 shows the small diameter cable 100 captured between the transport belts 40a, 40b and the large diameter cable 200 so that both cables can be simultaneously guided.

Yasui and the other cited references completely fail to teach or suggest a supply hose that is in fluid communication with a spray nozzle of a cartridge wherein the cartridge is arranged in a stationary guide tube to extend along an object to be sprayed and wherein the cartridge is movable along the guide tube and the spray nozzle, attached to the cartridge, is thus movable along and relative to the guide tube.

Yasui and most of other cited references refer to equipment for laying cables on the sea-bed. Once the cable is laid on the bottom of the sea bed is it not intended to be drawn up onto the ship or whatever vessel the equipment is

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located on. Thus, there is no incentive to be found in Yasui to arrange a stationary guide nor a spray nozzle at the end of the cable.

It is submitted that it would not be obvious to  
5 modify Yasui and the other cited references to include all the features of the amended claim 1. Yasui fails, among other things, to teach or suggest:

1. A supply hose connected to a displaceable cartridge provided with a spray nozzle,
- 10 2. The supply hose being in fluid communication with the spray nozzle,
3. The cartridge being arranged along a stationary guide tube along an object to be sprayed,
4. The cartridge being movable along the guide tube, and
- 15 5. The spray nozzle being movable along and relative to the guide tube.

Applicant fails to see why a person of ordinary skill would look to Yasui to learn about the features of amended claim 1 when so many features are completely missing  
20 in Yasui.

It has long been held that for a modification to be obvious, the references must explicitly teach or suggest the required step to motivate the artisan to make the required modifications. In re Fine 5 USPQ.2d (Fed. Cir. 1988), the  
25 court ruled (on page 1944) that there must be a motivation for the required modification to be obvious. In Winner

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International Royalty Corp. v. Wing 48 USPQ.2d 1139, the court ruled (on page 1144) that there must have been some explicit teaching or suggestion in the art to motivate one of ordinary skill in the art to make the required modifications.

5           Applicant submits that Yasui and the other cited references completely lack the teaching or suggestion to motivate the artisan to make the required modifications. For example, an artisan would not be motivated to add a spray nozzle nor a cartridge to Yasui's electric cables since the  
10       spray nozzle would be non-functional. Additionally, there is no motivation to modify Yasui's device to include a cartridge in a stationary guide tube along an object to be sprayed. The cartridge would merely interfere with the laying of the electric cables and serve no useful function. Since there is  
15       no incentive to include the cartridge there is no incentive to make this cartridge movable along a guide tube. Finally, there is no incentive to make the spray nozzle movable along and relative to the guide tube. Such spray nozzle would also merely interfere with the laying of the electric cable. In  
20       other words, since Yasui's invention is for laying electric cables there is no need to modify his invention so that the electric cables are connected to a cartridge with a spray nozzle. Additionally, there is no need to modify his invention to include a guide tube that extend along an object  
25       to be sprayed and along which the cartridge is movable since Yasui's electric cables could not be used for spraying anyway.

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Finally, an artisan would consequentially not be motivated to modify his invention to include the spray nozzle that is movable along and relative to the guide tube.

It is submitted that Yasui's device would require  
5 extensive modifications that are not taught or suggested to meet all the limitations of the amended claim 1.

In view of the above, it is submitted that the amended claim 1 is allowable.

Claims 2-3, 5-7 and 13 are submitted to be allowable  
10 because the claims depend on the allowable base claim 1 and because the claims include limitations that are not taught or suggested in the cited references.

Claim 4 was rejected under Section 103 as being  
obvious over Yasui in view of Watanabe, as applied to claims  
15 1-2 above and further in view of Noda. This rejection is respectfully traversed.

Claim 4 is submitted to be allowable because the claim depends on the allowable base claim 1 and because the claim includes limitations that are not taught or suggested in  
20 the cited references.

Claims 8-12 were rejected under Section 103 as being obvious over Yasui in view of Watanabe, as applied to claims 1-2 above and further in view of Taitel. This rejection is respectfully traversed.

25 Claims 8-12 are submitted to be allowable because the claims depend on the allowable base claim 1 and because

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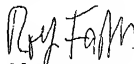
the claims include limitations that are not taught or suggested in the cited references.

The application is now submitted to be in condition for allowance, and such action is respectfully requested.

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Respectfully submitted,

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